

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

UNITED STATES OF AMERICA                     )  
  )  
vs.    ) CR. NO. 3:05-cr-0234  
  )  
TYRONE WHITE                                     )

**EMERGENCY MOTION TO COMPEL TO RETURN COMPUTER**

COMES NOW the Defendant, TYRONE WHITE, by and through the undersigned counsel, and moves this Honorable Court, on an emergency basis to order the United States attorneys office and the FBI agents to return the computer seized from his 12 year-old son's room by federal agents on Friday, January 13, 2006. As grounds for said motion states as follows:

1. The computer has only information in it concerning his son's studies, including homework assignments, etc.
2. This improper seizure is preventing his son from doing his homework and the school work at Opelika Middle School.

WHEREFORE the premises considered, the Defendant request this Honorable Court to Order the United States Attorney's office and the FBI agents to return the computer seized from his son's room on Friday, January 13, 2006.

RESPECTFULLY submitted this the 16<sup>th</sup> day of January, 2006.

  
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TYRONE WHITE, Defendant

/s/ Julian L. McPhillips, Jr.  
JULIAN L. MCPHILLIPS, JR.  
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**CERTIFICATE OF SERVICE**

I certify that, on this date, I have served a copy of the foregoing upon the Government by electronic filing, and by mailing an additional courtesy copy of same to the Government's attorneys at the addresses below on this the 16<sup>th</sup> day of January, 2006:

Hon. Todd A. Brown  
Assistant United States Attorney  
P.O. Box 197  
Montgomery, Alabama 36101

/s/ Julian L. McPhillips, Jr.  
JULIAN L. MCPHILLIPS, JR.  
Attorney for the Defendant